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Approved for use through 09/30/2000. OMB 0651-0032

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| <b>UTILITY<br/>PATENT APPLICATION<br/>TRANSMITTAL</b>  |   | Attorney Docket No. <b>4740-251</b>   |
|  |   | First Inventor or Application Identifier <b>Wanshi Chen</b>   |
| Title  | Power-Based Rate Adaptation of Wireless Communication<br>Chann Is |   |
|  |   | Express Mail Label No. <b>EL 979045059 US</b>   |
| <b>APPLICATION ELEMENTS</b><br><i>See MPEP chapter 600 concerning utility patent application contents.</i> |   | ADDRESS TO:<br>Mail Stop Patent Application<br>Commissioner for Patents<br>Box Patent Application<br>Washington, DC 20231 |

 22581 U.S. PTO  
 10/721951  
 112503

|   |  |
|---|--|
| <p>1. <input checked="" type="checkbox"/> *Fee Transmittal Form (e.g., PTO/SB/17)<br/>(Submit an original and a duplicate for fee processing)</p> <p>2. <input checked="" type="checkbox"/> Specification <b>[Total Pages 26]</b><br/>(preferred arrangement set forth below)</p> <ul style="list-style-type: none"> <li>— Descriptive title to the Invention</li> <li>— Cross References to Related Applications</li> <li>— Statement Regarding Fed sponsored R &amp; D</li> <li>— Reference to Microfiche Appendix</li> <li>— Background of the Invention</li> <li>— Brief Summary of the Invention</li> <li>— Brief Description of the Drawings (if filed)</li> <li>— Detailed Description</li> <li>— Claim(s)</li> <li>— Abstract of the Disclosure</li> </ul> <p>3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) <b>[Total Sheets 4]</b></p> <p>4. <input checked="" type="checkbox"/> Oath or Declaration <b>[Total Pages 8]</b></p> <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> Newly executed (original or copy)</li> <li>b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d))<br/>(for continuation/divisional with Box 17 completed)<br/><i>[Note Box 5 below]</i></li> <li>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b><br/>Signed statement attached deleting<br/>inventor(s) named in the prior application,<br/>see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).</li> </ul> <p>5. <input type="checkbox"/> Incorporation By Reference (useable if Box 4b is checked)<br/>The entire disclosure of the prior application, from which a<br/>copy of the oath or declaration is supplied under Box 4b,<br/>is considered as being part of the disclosure of the<br/>accompanying application and is hereby incorporated by<br/>reference therein.</p> | <p>6. <input type="checkbox"/> Microfiche Computer Program (Appendix)</p> <p>7. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission<br/>(if applicable, all necessary)</p> <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Computer Readable Copy</li> <li>b. <input type="checkbox"/> Paper Copy (identical to computer copy)</li> <li>c. <input type="checkbox"/> Statement verifying identity of above copies</li> </ul> |
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|  |  |
|--|--|
| <b>ACCOMPANYING APPLICATION PARTS</b>  |  |
| <p>8. <input checked="" type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</p> <p>9. <input type="checkbox"/> 37 C.F.R. § 3.73(b) Statement <input checked="" type="checkbox"/> Power of Attorney<br/>(when there is an assignee)</p> <p>10. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>11. <input type="checkbox"/> Information Disclosure <input type="checkbox"/> Copies of IDS<br/>Statement (IDS)/PTO-1449 Citations</p> <p>12. <input type="checkbox"/> Preliminary Amendment</p> <p>13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)<br/>(Should be specifically itemized)</p> <p>14. <input type="checkbox"/> *Small Entity <input type="checkbox"/> Statement filed in prior application,<br/>Statement(s) Status still proper and desired</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s)<br/>(if foreign priority is claimed)</p> <p>16. <input checked="" type="checkbox"/> Other: <u>Express Mail Certification</u></p> |  |

**\*NOTE FOR ITEMS 1 & 14: IN ORDER TO BE  
ENTITLED TO PAY SMALL ENTITY FEES, A SMALL  
ENTITY STATEMENT IS REQUIRED (37 C.F.R.  
§ 1.27), EXCEPT IF ONE FILED IN A PRIOR  
APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).**

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary statement:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No: \_\_\_\_\_ / \_\_\_\_\_  
Prior application information: Examiner: Group/Art Unit: \_\_\_\_\_

**18. CORRESPONDENCE ADDRESS**

Customer Number or Bar Code Label **24112** or  Correspondence address below

|                   |   |           |                                   |                   |
|-------------------|---|-----------|-----------------------------------|-------------------|
| NAME              |   |           |                                   |                   |
|                   |   |           |                                   |                   |
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| ADDRESS           |   |           |                                   |                   |
|                   |   |           |                                   |                   |
|                   |   |           |                                   |                   |
| CITY              |   | STATE     | ZIP CODE                          |                   |
| COUNTRY           |   | TELEPHONE |                                   | FAX               |
| Name (Print/Type) | Michael D. Murphy   |           | Registration No. (Attorney/Agent) | 44,958            |
| Signature         |  |           | Date                              | November 25, 2003 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 2213-1450.

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12503

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## FEE TRANSMITTAL

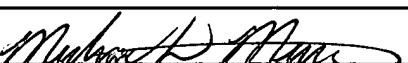
Patent fees are subject to annual revision on October 1  
 These are the fees effective December 29, 1999.  
 Small Entity payments must be supported by a small entity statement.  
 otherwise large entity fees must be paid. See Forms PTO/SB/09-12.  
 See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT (\$1,206.00)

Complete if Known

|                      |             |
|----------------------|-------------|
| Application Number   | TBA         |
| Filing Date          |             |
| First Named Inventor | Wanshi Chen |
| Examiner Name        | TBA         |
| Group Art Unit       | TBA         |
| Attorney Docket No.  | 4740-251    |

| METHOD OF PAYMENT (check one)   |  |  |  | FEE CALCULATION (continued)   |  |  |  |
|---|--|--|--|---|--|--|--|
| 1. <input checked="" type="checkbox"/> The Commission is hereby authorized to charge indicated fees and credit any over payments to:                                      |  |  |  | 3. <b>ADDITIONAL FEES</b><br>Large Entity Small Entity Fee Description Paid<br>Fee Code Fee Code (\$)<br>105 130 205 65 Surcharge - late filing fee or oath<br>127 50 227 25 Surcharge - late provisional filing fee or cover sheet<br>139 130 139 130 Non-English specification<br>147 2,520 147 2,520 For filing a request for reexamination<br>112 920* 112 920* Requesting publication of SIR prior to Examiner action<br>113 1,840* 113 1,840* Requesting publication of SIR after Examination action<br>115 110 215 55 Extension for reply within first month<br>116 380 216 190 Extension for reply within second month<br>117 870 217 435 Extension for reply within third month<br>118 1,360 218 680 Extension for reply within fourth month<br>128 1,850 228 925 Extension for reply within fifth month<br>119 300 219 150 Notice of Appeal<br>120 300 220 150 Filing a brief in support of an appeal<br>121 260 221 130 Request for oral hearing<br>138 1,510 138 1,510 Petition to institute a public use proceeding<br>140 110 240 55 Petition to revive - unavoidable<br>141 1,210 241 605 Petition to revive - unintentional<br>142 1,210 242 605 Utility issue fee (or reissue)<br>143 430 243 215 Design issue fee<br>144 580 244 290 Plant issue fee<br>122 130 122 130 Petitions to the Commissioner<br>123 50 123 50 Petitions related to provisional applications<br>126 240 126 240 Submission of Information Disclosure Stmt.<br>581 40 581 40 Recording each patent assignment per property (times number of properties) 40.00<br>146 760 246 380 Filing a submission after final rejection (37 CFR 1.129(a))<br>149 760 249 380 For each additional invention to be examined (37 CFR 1.129(b))<br>Other fee (specify) _____<br>Other fee (specify) _____ |  |  |  |
| 2. <input checked="" type="checkbox"/> Payment Enclosed:<br><input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other |  |  |  | 1. <b>BASIC FILING FEE</b><br>Large Entity Small Entity Fee Description Fee Paid<br>Fee Code Fee Code (\$)<br>101 770 201 345 Utility filing fee 770.00<br>106 310 206 155 Design filing fee<br>107 480 207 240 Plant filing fee<br>108 760 208 380 Reissue filing fee<br>114 150 214 75 Provisional filing fee<br>SUBTOTAL (1) (\$770.00)  |  |  |  |
| 2. <b>EXTRA CLAIM FEES</b>  |  |  |  | Extra Claims Fee from below Fee Paid<br>Total Claims 42 -20** = 22 X 18.00 = 396.00<br>Independent 2 -3** = 0 X 86.00 = .00<br>Claims<br>Multiple Dependent Claims _____ X _____ = _____<br>** or number previously paid, if greater; For Reissues, see below   |  |  |  |
|   |  |  |  | Large Entity Small Entity Fee Description<br>Fee Code Fee Code (\$)<br>103 18 203 9 Claims in excess of 20<br>102 78 202 39 Independent claims in excess of 3<br>104 260 204 130 Multiple dependent claim<br>109 78 209 39 **Reissue independent claims over original patent<br>110 18 210 9 **Reissue claims in excess of 20 and over original patent<br>SUBTOTAL (2) (\$396.00)   |  |  |  |
|   |  |  |  | *Reduced by Basic Filing Fee Paid<br>SUBTOTAL (3) (\$40.00)   |  |  |  |

| SUBMITTED BY          |   |  |      | Complete (if applicable) |         |
|-----------------------|---|--|------|--------------------------|---------|
| Typed or Printed Name | Michael D. Murphy   |  |      | Reg. Number              | 44,958  |
| Signature             |  |  | Date | November 25, 2003        |         |
|                       |   |  |      | Deposit Account User ID  | 18-1167 |

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Chen, et al. )  
Serial No.: Unknown )  
Filed: )  
Title: **POWER-BASED RATE ADAPTATION OF** )  
**WIRELESS COMMUNICATION CHANNELS** )  
Attorney's Docket No: 4740-251 )

**EXPRESS MAIL CERTIFICATION**  
**LABEL NO.: EL 979045059 US**

Raleigh, North Carolina  
November 25, 2003

MAIL STOP PATENT APPLICATION  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

Sir:

**EXPRESS MAIL CERTIFICATE LABEL NO.: EL 979045059 US**

**DATE MAILED: November 25, 2003**

I hereby certify that the enclosed US Utility Patent Application Transmittal Form, Fee Transmittal Form (2 Copies), specification and claims, drawings (1 set of 4 sheets), Declaration and Power of Attorney (2 sets of 4 sheets), Assignment (2 sets of 4 sheets) and Recordation Form, and our check number 10645 in the amount of \$1,206.00 are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to: **Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Respectfully submitted,

**COATS & BENNETT, P.L.L.C.**

By:

  
Michael D. Murphy  
Registration No. 44,958

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